

REMARKS

Favorable reconsideration of this application, in light of the following discussion and in view of the present amendment, is respectfully requested.

Claims 1, 8, 22 and 24 are amended. Claims 3-7, 9-12, 18-21, 23, 25 and 26 were previously withdrawn. Claims 1-12 and 18-26 are pending.

I. Rejection under 35 U.S.C. § 102

In the Office Action, at page 5, numbered paragraph 3, claims 1, 8, 22 and 24 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,928,252 to Gabbe et al. This rejection is respectfully traversed because Gabbe does not discuss or suggest:

setting all of the plurality of pages of the document to be multiple printed according to the Nup function;

selectively changing a setting of at least one of the pages, from the plurality of pages set to be multiple printed, to be commercially printed;...

wherein the Nup function is not applied to the at least one of the pages set to be commercially printed,

as recited in amended independent claim 1.

Gabbe discusses that a user submits a print request which includes an instruction to print multiple pages stored in print data storage unit 22 onto a single sheet of paper. The print request includes a "number-up" parameter that requires the print symbiont 28 to fit the number of pages specified by the "number-up" parameter on a sheet. The number of pages printed out on the sheet will be equal to the "number-up" specified by the user unless the user specifies the last page to be printed on a sheet. If the last page or the first page is specified, then a number of pages less than the parameter "number-up" will be printed. **In this case, blanks will be left on the sheet where pages could be placed.**

Thus, while Gabbe does discuss specifying the last page or the first page to be printed on a sheet in accordance with a multiple printing function, Gabbe does not discuss or suggest changing a setting of the first page or the last page from a multiple printing setting in accordance with the Nup function to a commercially printing setting, where the Nup function is not applied to the pages set to be commercially printed. Support for the claim amendment is found at paragraph 0070, lines 6-7.

In particular, Gabbe specifically discusses that when the last or first page is specified to be printed on a sheet, blanks will be left on the sheet where pages could be placed. Thus, the

first or last page in Gabbe still functions in accordance with the Nup function where pages are reduced and then printed. However, Gabbe does not suggest, particularly based on the recitation that blanks will be left on the sheet where pages could be placed, that the setting of the first or last page is changed from a multiple printing setting to a commercial printing setting. Gabbe specifically recites that the first and last pages still operate in accordance with the multiple pages per side function due to the fact that blanks will be left on the sheet where pages could be placed.

However, Gabbe does not suggest that the first and last pages are set in accordance with a commercial printing setting. The commercial printing setting does not operate in accordance with the multiple pages per side function, and as such, the page according to a commercial printing setting would be printed over the entire sheet of paper (see paragraph 0070, line 7 of the present specification). Here, Gabbe specifies that the page is printed and blanks are left. Therefore, Gabbe does not suggest that the first page or last page are changed from a multiple printing setting to a commercial printing setting. Again, the blanks in Gabbe require that the first page and the last page still function in accordance with the multiple pages per side function, which reduces the pages in order to fit multiple pages on one sheet of paper. If the multiple pages per side function was not applied, as in claim 1, for example, the first page or the last page could be printed over the entire sheet of paper.

Therefore, as Gabbe does not discuss or suggest “setting all of the plurality of pages of the document to be multiple printed according to the Nup function; selectively changing a setting of at least one of the pages, from the plurality of pages set to be multiple printed, to be commercially printed;...wherein the Nup function is not applied to the at least one of the pages set to be commercially printed,” as recited in amended independent claim 1, claim 1 patentably distinguishes over the reference relied upon. Accordingly, withdrawal of the § 102(b) rejection is respectfully requested.

II. Rejection under 35 U.S.C. § 103

In the Office Action, at page 9, numbered paragraph 5, claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Gabbe in view of U.S. Patent No. 5,959,744 to Kohri et al. This rejection is respectfully traversed.

As discussed above, Gabbe does not discuss or suggest all the features of independent claim 1. Kohri fails to make up for the deficiencies in Gabbe. Therefore, claim 1 patentably distinguishes over the references relied upon.

Claim 2 depends directly from independent claim 1 and includes all the features of claim 1, plus additional features that are not discussed or suggested by the references relied upon. For example, claim 2 recites that “the selective changing of the setting of the at least one of the pages to be commercially printed is based on a determination that the at least one of the pages has complex contents and forms.” Kohri discusses that a determination is made as to determine if a record sheet has a larger main scan length than the main scan length set in the parameter loaded in the apparatus. Kohri further discusses that, based on the size of the image data of a page, the page is added or not added to another page on a same sheet as the other page. However, Kohri determines only the scan length of data and does not determine that the page has complex contents and forms. For example, as shown in Fig. 7C of the present specification, page 3 has complex data that is different from the simple data of pages 1, 2 and 4. Kohri makes no distinction between the types of data that are recorded on the pages 1-3, such that one of the pages is identified as having complex contents and forms versus simple contents and forms. Kohri does not identify that page 3 has complex contents and forms.

Therefore, claim 2 patentably distinguishes over the references relied upon for at least the reasons noted above. Accordingly, withdrawal of the §103(a) rejection is respectfully requested.

Conclusion

In accordance with the foregoing, claims 1, 8, 22, and 24 have been amended. Claims 1-12 and 18-26 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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